

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 849

Short Title: Restore Longitudinal Data System Board. (Public)

Sponsors: Representatives Blackwell and Saine (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Education - K-12, if favorable, State and Local Government I

April 13, 2017

1 A BILL TO BE ENTITLED
2 AN ACT TO RESTORE AUTHORITY OF THE EDUCATIONAL LONGITUDINAL DATA
3 SYSTEM TO A GOVERNANCE BOARD.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 116E-1 reads as rewritten:

6 "§ 116E-1. Definitions.

7 (1) ~~"Center" means the Governmental Data Analytics Center as established in~~
8 ~~Part 8 of Article 15 of Chapter 143B of the General Statutes.~~ "Board" means
9 the governing board of the North Carolina Longitudinal Data System.

10 (2) "De-identified data" means a data set in which parent and student identity
11 information, including the ~~unique student identifier and~~ student social
12 security number, has been removed.

13"

14 SECTION 2. G.S. 116E-3 is reenacted as it existed immediately before its repeal
15 and reads as rewritten:

16 "§ 116E-3. North Carolina Longitudinal Data System Board.

17 (a) There is established the North Carolina Longitudinal Data System Board which
18 shall consist of the following 18 members:

- 19 (1) The Superintendent of Public Instruction, or the Superintendent's designee.
20 (2) The President of The University of North Carolina, or the President's
21 designee.
22 (3) The President of the North Carolina Community College System, or the
23 President's designee.
24 (4) The Secretary of the Department of Health and Human Services, or ~~the~~
25 Secretary's designee, a designee of the Secretary affiliated with the
26 Department's Division of Child Development.
27 (5) The Assistant Secretary of the Department of Commerce, Division of
28 Employment Security, or the Assistant Secretary's designee.
29 (6) The Secretary of the Department of Revenue, or the Secretary's designee.
30 (7) The Commissioner of Labor, or the Commissioner's designee.
31 (8) The President of the North Carolina Independent Colleges and Universities,
32 Inc., or the President's designee.
33 (9) The Commissioner of Motor Vehicles, Department of Transportation, or the
34 Commissioner's designee.



- 1 (10) The State Chief Information ~~Officer~~Officer, or a designee of the Officer
 2 affiliated with the Government Data Analytics Center.
 3 (11) The State Controller, or the Controller's designee.
 4 (12) Three public members appointed by the General Assembly upon the
 5 recommendation of the President Pro Tempore of the Senate.
 6 (13) Three public members appointed by the General Assembly upon the
 7 recommendation of the Speaker of the House of Representatives.
 8 (14) One public member appointed by the Governor, to serve at the Governor's
 9 pleasure.

10 (b) Appointed members of the Board shall serve terms of four years. Terms of
 11 appointed members shall begin May 1, 2013, and every four years thereafter. Appointed
 12 members may be reappointed but shall not serve more than two consecutive terms. Vacancies
 13 among appointed members shall be filled by the appointing entity and shall be for the
 14 remainder of the vacant term.

15 (c) ~~The chair of the Board shall be the State Chief Information Officer.~~The Board shall
 16 elect from the appointed members a chair and a vice-chair for a term of two years.

17 (d) Members of the Board shall receive such per diem compensation and necessary
 18 travel and subsistence expenses while engaged in the official discharge of the official duties as
 19 is provided by law for members of State boards and commissions.

20 (e) The Board shall hold an initial meeting upon appointment of a majority of the
 21 appointed members. The Board shall meet at least quarterly, but may meet more frequently
 22 upon the call of the chair."

23 **SECTION 3.** G.S. 116E-4 reads as rewritten:

24 "**§ 116E-4. Powers and duties of the Center Board.**

25 (a) The ~~Center Board~~ shall have the following powers and ~~duties with respect to the~~
 26 ~~System:~~duties:

27 ...

28 (4) Before the use of any individual data in the System, the ~~Center Board~~ shall
 29 do the following:

30 ...

31 b. Develop and implement policies to comply with FERPA and any
 32 other privacy measures, as required by law or the ~~Center Board~~.

33 ...

34 (9) Establish an advisory committee on data quality to advise the ~~Center Board~~
 35 on issues related to data auditing and tracking to ensure data validity.

36 (b) The ~~Center Board~~ shall adopt rules according to Chapter 150B of the General
 37 Statutes as provided in G.S. 116E-6 to implement the provisions of this Article.

38 (c) The ~~Center Board~~ shall report quarterly to the Joint Legislative Education Oversight
 39 Committee, the Joint Legislative Commission on Governmental Operations, and the Joint
 40 Legislative Oversight Committee on Information Technology beginning September 30, 2013.
 41 The report shall include the following:

42 ...

43 (3) Any other recommendations made by the ~~Center Board~~, including the most
 44 effective and efficient configuration for the System."

45 **SECTION 4.** G.S. 116E-6 reads as rewritten:

46 "**§ 116E-6. Data sharing.**

47 (a) Local school administrative units, charter schools, community colleges, constituent
 48 institutions of The University of North Carolina, and State agencies shall do all of the
 49 following:

50 (1) Comply with the data requirements and implementation schedule for the
 51 System as set forth by the ~~Center Board~~.

1 (2) Transfer student data and workforce data to the System in accordance with
2 the data security and safeguarding plan developed by the ~~Center Board~~ under
3 G.S. 116E-5.

4 (b) Private colleges and universities, the North Carolina Independent Colleges and
5 Universities, Inc., and nonpublic schools may transfer student data and workforce data to the
6 System in accordance with the data security and safeguarding plan developed by the Board
7 under G.S. 116E-5."

8 **SECTION 5.** G.S. 120-123(81), 143B-1321(a)(31), and 143B-1322(c)(21) are
9 reenacted as they existed immediately before their repeal.

10 **SECTION 6.** The North Carolina Longitudinal Data System Board shall adopt
11 rules pursuant to G.S. 116E-4 no later than December 1, 2017.

12 **SECTION 7.** This act is effective when it becomes law.